

# RICKY WILKINS

OUR NEXT CONGRESSMAN

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July 17, 2014

Attn: General Counsel  
Federal Elections Commission  
Office of Complaints Examination  
and Legal Administration  
999 E Street, NW  
Washington, DC 20463-0002

Via FedEx Express Delivery

MUR # 6854

*In re: Congressman Steve Cohen's "Pearl" radio advertisement*

Dear Sir:

This letter shall constitute a formal complaint against U.S. Congressional Candidate (TN-09) Steve Cohen, and his campaign committee for running a radio advertisement which it now claims Congressman Cohen did not authorize.

Pursuant to 11 C.F.R. §110.11, communications transmitted through radio must include an audio statement by the candidate that identifies the candidate and states that he or she has approved the communication. The Cohen campaign ran a radio ad on local Memphis radio stations 95.7 and 103.5 during the weekend of July 4-7, 2014. This ad may be heard on YouTube at "Steve Cohen Offensive Pearl Ad." The radio ad included the required disclaimer, which was in Congressman Cohen's voice, that Congressman Cohen "approved this message." The Cohen campaign received significant criticism after the ad ran because the ad was deemed to be racist and pandering to the African American community. Specifically, the voice used throughout the ad, an African American woman named "Pearl," speaks in a manner that many people in the community determined was racist and denotes the Jim Crow South. Cohen's campaign removed the ad and it is no longer running.

Attn: General Counsel  
Federal Elections Commission

*Via FedEx Express Delivery*

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This formal complaint is being filed because Congressman Cohen's campaign now claims that Congressman Cohen did not approve this advertisement. He claims, instead, that he approved the "script," but that he never heard the ad prior to it running on local radio stations. He also claims that the "standard disclaimer" was placed in the ad by someone else in his campaign, apparently without his knowledge, and that the ad ran without the Congressman approving or hearing the communication. A copy of the July 14, 2014 Commercial Appeal article wherein Congressman Cohen's campaign denied Congressman Cohen approved the aired ad is attached hereto. 11 C.F.R. §110.11 requires, however, that Congressman Cohen approve this ad and that he state his approval. Otherwise, the disclaimer required by 11 C.F.R. §110.11 is meaningless. He could not have approved it if he had not heard it. If Congressman Cohen is telling the truth, that he never heard the ad before it aired and never approved the ad prior to it airing, then his campaign has violated 11 C.F.R. §110.11 by placing a radio ad on the air that was not approved by the candidate.

I ask that your office investigate this matter. We trust that your office can resolve and take action with this type of political gamesmanship so that the voters in the Ninth Congressional District can be sure that when a candidate who claims to "approve this message," he or she has actually heard the message and has, in fact, approved it. Otherwise, Congressman Cohen can continue to run offensive political advertisements which state that he approves the message and later claim that he never even heard the message much less approved it.

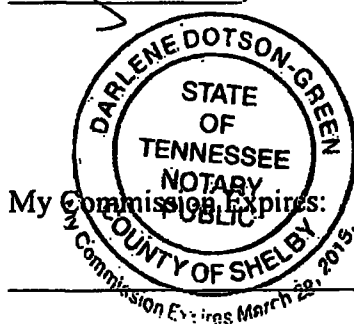
Sincerely,

*Carla Stotts-Hills*

**Carla Stotts-Hills**  
Campaign Manager  
Ricky Wilkins for Congress

*Enclosure*

SWORN TO AND SUBSCRIBED before me this 17<sup>th</sup> day of July, 2014.



*[Signature]*  
NOTARY PUBLIC

# Wilkins calls Cohen radio ad 'insulting and offensive'; Cohen campaign says voice-over wasn't

BY: Kyle Veazey

POSTED: 5:48 PM, Jul 14, 2014

TAG: [local news \(/topic/local+news\)](#) | [politics \(/topic/politics\)](#) | [2014 elections \(/topic/2014+elections\)](#)

Ricky Wilkins called a Steve Cohen radio ad from earlier this month "insulting and offensive" on Monday, saying the dialect and voice used to deliver the script was a regression to an older era.

"Doesn't he realize we're not living in 1950 any more?" Wilkins said.

Cohen's campaign said that while it approved the script, it didn't know who had voiced the ad until it was in the hands of radio stations — and that campaign workers moved to take down the ad as soon as they heard it.

Wilkins, a local attorney, is challenging Cohen in the Aug. 7 Democratic primary. Early voting begins Friday.

Cohen, who is white, is seeking re-election in a district that is 65.3 percent black (the highest percentage of black residents of any district in Congress), and is being challenged by Wilkins and Isaac Richmond, who are black.

In the Cohen ad, the woman's voice touts Cohen's endorsement from President Barack Obama and Cohen's alliance with the president on various issues.

Wilkins described the voice as "somewhat inarticulate. It's the dialect, it is the whole expression." He said he's heard from many people who found the ad insulting.

"He could have used any voice he wanted to produce that ad, and yet he chooses a voice from a time of old that many people think is long since past us — but obviously he doesn't," Wilkins said.

Cohen's campaign, in a statement Monday from spokesman Rick Maynard, said that's where an important distinction lies — that Cohen didn't choose the voice.

The campaign approved the script of the ad for production, but because of the shortened holiday week of July 4, the ad was cut and sent straight to radio stations. Cohen wasn't around the ad when it was made, the campaign said; the standard disclaimer was attached based on the script that had been approved.

"We did not hear the final product until (July 3) evening," said the Cohen statement, which Maynard emailed to The Commercial Appeal. "We did not agree with the interpretation of the material and immediately moved to remove the ad, substituting two ads featuring the congressman talking about local issues and his work in Congress. We started sending faxes and emails to the radio stations immediately. However, the ad ran at least a couple of times before our requests were answered.

"At no time did we ever intend to be offensive or condescending to anyone in this community, nor did we ever intend for the ad to be heard," Maynard said.

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